

# **LOWER PAXTON TOWNSHIP ZONING HEARING BOARD**

Meeting of December 5, 2013

## Members Present

Greg Sirb  
Sara Jane Cate  
Jeffrey Staub  
David Dowling  
Richard Freeburn  
Alan Hansen  
Watson Fisher

## Also in Attendance

James Turner  
Dianne Moran

## **SE 13-01**

### **Applicant:**

Diocese of Harrisburg  
Bishop McDevitt High School

### **Address:**

4800 Union Deposit Road  
Harrisburg, PA 17111

### **Property:**

One Crusader Way  
Harrisburg, PA 17111

### **Interpretation:**

#### **Article 6 – OFF STREET PARKING AND LOADING**

##### **Article 603.E.2.a: Paving, Grading and Drainage**

Except for landscaped areas, all portions of required parking, loading facilities and driveways shall be surfaced with asphalt, concrete, paving block, or other low-dust materials pre-approved by the Township.

a. However, by special exception, the Zoning Hearing Board may allow parking areas with low or seasonal usage to be maintained in stone, grass or other suitable surfaces. For example, the Board may allow parking spaces to be grass, while major aisles are covered by stone.

The applicant is proposing grass parking located along the west side of the new stadium on the existing athletic practice fields

### **Grounds:**

Article 6 of the Lower Paxton Township Zoning Ordinance pertains to this application.

### **Fees Paid:**

September 17, 2013

### **Property Posted:**

November 26, 2013

Advertisement:                      Appeared in The Paxton Herald on November 20 and 27, 2013.

The hearing began at 7:02 p.m.

Mr. Freeburn noted that this is the continuance from the application that was tabled at the last meeting. Mr. Turner noted that the hearing was never started as it was advertised for the November meeting but the applicant was not available. He noted that we are starting from scratch.

Mr. Freeburn swore in John DiSanto, 6130 Minglewood Drive, Harrisburg, Pennsylvania, 17112, who explained that he is an authorized representative from the Roman Catholic Diocese of Harrisburg and Bishop McDevitt High School.

Mr. Freeburn swore in Ms. Moran, Planning and Zoning Officer for Lower Paxton Township.

Ms. Dianne Moran advised that the appropriate fees were paid on September 17, 2013. The proper advertisements appeared in The Paxton Herald on November 20 and 27, 2013. The hearing notices were posted on November 26, 2013.

Mr. Freeburn questioned what articles of the Zoning Ordinance pertain to this application. Ms. Moran noted that this special exception concerns Article 6 – OFF STREET PARKING AND LOADING. Article 603.E.2.a: Paving, Grading and Drainage - Except for landscaped areas, all portions of required parking, loading facilities and driveways shall be surfaced with asphalt, concrete, paving block, or other low-dust materials pre-approved by the Township: a. However, by special exception, the Zoning Hearing Board may allow parking areas with low or seasonal usage to be maintained in stone, grass or other suitable surfaces. For example, the Board may allow parking spaces to be grass, while major aisles are covered by stone.

Mr. Freeburn noted that it is customary for the Township to enter into the record the application and site plan as Township exhibits and he questioned Mr. DiSanto if he had any objections with that. Mr. DiSanto answered no.

Mr. Freeburn explained that the Board has a very thorough packet from the applicant and he although he did not want to interfere with the presentation, everyone on the Board had a good idea of what the plan exhibits are for the presentation. He requested Mr. DiSanto to explain what he proposes and why the special exception should be granted.

Mr. John DiSanto noted that that the Zoning Hearing Board granted a previous Special Exception to allow off-site parking on the grass adjacent to the football field. He noted that the McDevitt site is located off of Page Road on Crusader Way. He pointed that the current plan shows the football field with the current permitted grass parking on the practice football field between the school and the stadium. He explained that he proposes allowing additional parking to the west of the stadium on the baseball/softball fields and soccer practice field.

Mr. DiSanto noted that included in the packet is a map that shows areas lined out on the baseball field that will be marked with stakes and string lines for cars to park during the games. He noted that when the school was designed, it was designed for 5,000 to 6,000 people in attendance as was the historic past attendance. He noted for the opening game there were over 8,000 people in attendance and it was a disaster from the Township Police Department's standpoint, but for the school it was a great success. He noted that the game was with Harrisburg High School, the field was dedicated for its first use, and there was no parking available anywhere other than approved areas on the plan. He explained that the Police shut down the road and stopped people from driving into the campus. He explained that is what precipitated the additional meeting and the special exception.

Mr. DiSanto noted that the second home game was with Central Dauphin High School and 7,000 people were in attendance and the police permitted parking in the areas that he showed previously on the map. He noted that one third of the parking was used in that area; however, since that time attendance has trailed down to about 5,000 to 6,000 persons per game and they have only parked on the grass areas that he is requesting as additional parking for two games as the rest of the games have been able to be handled by the prior approved parking. He noted when the school has a big event like that, there is a parking issue. He noted that he is requesting the special exception because there is no where else to park. He noted that the only other exception is to block the road and this is not a wise choice.

Mr. DiSanto noted that there was some discussion about using the ground that is south of the former Spring Creek Road where the land development plan shows future athletic fields and parking but there is no money available to do that. He noted that eventually there may be some parking in that location as it was always designed for other future fields. He noted that these are the two hardships that the plan is facing.

Mr. DiSanto noted that when he resubmitted the application for this hearing he added paragraph C to the application where he provides special event parking plan that was developed in conjunction with the Lower Paxton Township Police and Emergency Medical Responders. He noted that the plan was coordinated with the Police and provided a copy of Exhibit B. He noted that the Police are retained by the School to direct traffic and assist. He noted that local fire police are retained and paid for by the School to assist in parking, and the School has a group of volunteers who are trained, wearing safety equipment vests and lights, to direct traffic and are familiar with the site. He noted that it has been a very good addition to the process. He noted that number five in his presentation bears some discussions. He noted at the end of the games, the Township Police have opened two lower gates on the main driveway to allow traffic to exit out to Crusader Way to get everyone out of the site in a fairly reasonable amount of time. He noted that the other major concern is the ability to allow access for EMS, Fire or Police. He noted that the western section of Spring Creek Road that was abandoned by the Township is being maintained by the School. He noted that the gates to the campus entrance from that location are operated by an automatic Opticon system that can be activated by Fire, Police or EMS. He noted that it allows them to automatically open the gates. He explained that they will always have access to the campus by way of Spring Creek Road from Dowhower Road. He noted that there is no impediment if there is an emergency situation to get into the site and to exit the site as well.

Mr. Dowling questioned how the parking spaces on the grass field be delineated. Mr. DiSanto answered they will drive stakes into the ground run string lines and this will help the volunteers to direct the traffic for parking. He noted that the vehicles will be parked front-to-front down from isles.

Ms. Cate questioned how often this type of parking will occur. Mr. DiSanto answered that they have only parked on the grass three times out of eight home games and three playoff games, for a total of 11 times.

Mr. DiSanto showed the special event parking plan that was developed with the Police and he has been able to utilize the areas that are numbered on the plan to maximize car parking availability. He noted that there is a designated area behind the football field in front of the bleachers and the EMS and Police are staged in that area. He noted that the band buses and visiting team buses have their designated areas to park and the coaches and referrers have their designated parking spaces as well. He noted that he has been able to squeeze in additional 60 or 70 parking spaces. He suggested that it seems to be working very well. He noted that there have been no serious problems since the first game, a little hiccup with the second game, and that was it. He noted that he has not received any more complaints from the people in the development across the street for parking issues.

Mr. Dowling questioned where the gravel pathways will be located to provide entrance to the field parking. Mr. DiSanto answered that there is no problem parking cars on those fields once or twice, but the area of issue is where the vehicles entered into that area. He noted at the end of the loop road, north of the football stadium, they propose to stone that area in the same configuration that is found in the practice football field on the other side. He noted that there is also an area on the southern end of those practice fields coming off the fields that will be stoned as well. He noted that staff will use the southern field first and the upper fields last as he wants to keep everyone out of the baseball/softball diamond area, using the upper field only when needed.

Mr. Freeburn questioned if there would be lighting in this area. Mr. DiSanto answered no, only a small amount of security lighting for the baseball dugout area. He noted that there are lighting standards that meet the required standard for the parking area. He noted for night games, when the stadium lights are on, it casts a glow out into those fields. He suggested that the light standards are 150 feet high.

Mr. Sirb questioned how many total parking spaces this plan will provide. Mr. DiSanto answered 1,717 for the grass and paved parking. He noted that currently the school has 969 parking spaces. He noted that it is far in excess for what Central Dauphin or Susquehanna Township has for parking. He noted that McDevitt doesn't have any place else to park in the surrounding communities like those two schools do.

Mr. Staub questioned if the school has a concern about damage to the athletic fields in the event there is a heavy rain prior to the game. Mr. DiSanto noted that obviously there is a concern with that, but the field was built in the same configuration of the practice field that we are

currently using for parking now. He noted that there are two stone roads that lead into that parking area. He noted that it is used everyday to capacity. He noted for the Central Dauphin game, he was told that it rained two days prior to the games, six or seven inches of rain, but they parked in the upper area of the practice fields after two days of rain and the only damage was in the entrance area to those practice fields. He noted that it was nothing that jeopardized the fields. He stated that was his concern that the school just built brand new fields and he didn't want them damaged.

Ms. Cate questioned if people who don't want to park in the campus areas will park in the adjacent neighborhood. Mr. DiSanto answered that it happened for the first game but he has not heard of anyone parking in that area since the first game. He noted that the PSD Johnson did not inform him that he received any complaints. He stated that he can't say that people are parking there but to his knowledge it is not an issue.

Mr. Freeburn questioned if any members of the Board had any questions.

Mr. Freeburn questioned if anyone in the audience had anything to say on this application. No response was heard.

Mr. Freeburn questioned if the Township had a position on this. Ms. Moran explained that last evening this plan went before the Planning Commission and they found it unobjectionable.

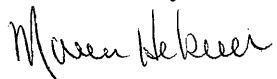
Mr. Freeburn noted that the Board has 45 days in which to render a decision and he questioned if any member wished to take action at this time.

Ms. Cate made a motion to approve Docket #SE 13-01 as submitted. Ms. Dowling seconded the motion. Mr. Turner conducted the following roll-call vote: Mr. Staub, aye; Mr. Dowling, aye; Mr. Sirb, nay; Mrs. Cate, aye; and Mr. Freeburn, aye. Mr. Turner noted that the motion carried.

Mr. Sirb noted that the volunteers really need to know what they are doing for the big games. He noted as long as the plan is followed it should work well. Mr. Dowling suggested that the reason they are parking on the grass is to replicate what it was like parking in the old field on Market Street.

The hearing ended at 7:20 p.m.

Submitted by:

  
Maureen Heberle  
Recording Secretary

IN RE: : BEFORE THE LOWER PAXTON  
: TOWNSHIP ZONING HEARING BOARD  
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA  
:  
BISHOP McDEVITT HIGH : DOCKET NO. 13-01  
SCHOOL DIOCESE OF :  
HARRISBURG :

### **DECISION GRANTING SPECIAL EXCEPTION**

The applicant seeks a special exception to allow seasonal parking in an unpaved area. A hearing on the application was held on December 5, 2013.

#### **Facts**

1. The applicant and owner of the property in question is The Diocese of Harrisburg of 4800 Union Deposit Road, Harrisburg, Pennsylvania 17111. The applicant was represented at the hearing by John DiSanto.
2. The property in question is located on the west side of Page Road and consists of a multi-acre irregularly shaped parcel which is improved with an educational facility known as Bishop McDevitt High School. The parcel is zoned R-C, Residential Cluster.
3. In addition to the high school, the parcel is improved with an outdoor stadium and several athletic fields.
4. The applicant proposes to designate several athletic fields in the western end of the property for seasonal parking during high interest football games. Existing parking can accommodate normal crowds of 5,000-6,000 spectators; however, certain games have drawn up to 8,000 spectators.
5. During use of the overflow fields will have stakes and strings erected to define parking areas and trained persons to direct traffic into and out of the designated areas. The additional areas will provide more than 700 additional spaces.

6. The applicant has discussed its parking plan with the Township Police Department which approved the use of the temporary parking spaces.

7. Notice of the hearing was posted and advertisement made as required by the ordinance.

8. No one other than the applicant's representatives appeared to testify in favor of or against the proposed special exception.

### **Conclusions**

1. Section 603.E of the ordinance requires that parking areas be surfaced with asphalt, concrete, paving block or other low dust-materials pre-approved by the Township. The proposed grass parking area would violate these sections of the ordinance.

2. Section 603.E.2.a of the ordinance grants to the Zoning Hearing Board the power to grant special exceptions for low or seasonal usage on grass surfaces. Section 116.C of the ordinance allows the grant of special exceptions where the criteria set forth therein are met.


3. The Board finds that granting the special exception is warranted in that the use of the parking areas is on a seasonal basis only, approximately 2-3 times per year. Paving the proposed parking area in such circumstances is not justified economically and it would create additional impervious coverage which has detrimental environmental impacts. Granting the special exception will actually mitigate potential traffic hazards by ensuring a sufficient quantity of parking spaces on site, thereby preventing spillover parking in the surrounding neighborhood. As long as the applicant follows through with its intended plans for parking attendants there will be no adverse effect upon surrounding neighborhoods. The plan will have no adverse effect upon natural features.

**Decision**


In view of the foregoing and having considered the plans and testimony submitted to the Board, it is the opinion of the Board that the Special Exception should be and is hereby granted allowing the seasonal use of grass parking areas in accordance with the plans and testimony submitted to the Board.

Date: 1/9/14

LOWER PAXTON TOWNSHIP  
ZONING HEARING BOARD

  
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